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February 27, 2015

APPLICATION GRANTED

SO ORDERED

VERNON S. BRODERICK

U.S.D.J. 3/2/2015

By ECF

Honorable Vernon S. Broderick
United States District Judge
United States Courthouse
Southern District of New York
40 Foley Square
New York, NY 10007

Re: *Bernstein v. Chernikoff*, No. 14-cv-2540 (VSB)

Dear Judge Broderick:

I am counsel for defendant, Jay Chernikoff, in the above-referenced breach of contract action. I write to request a 30-day enlargement of time to respond to the complaint, until March 30, 2015. A response was due yesterday, February 26, 2015. I requested an extension of time from counsel yesterday and hoped to receive his consent as this is the first request for an enlargement we have made, and counsel and me had been cooperating on the scheduling order (submitted herewith). Counsel denied the request today, advising that his client did not want to give consent “because of the wording of the request”¹ and because things “started off on the wrong foot initially.” This request should not affect any of the scheduling dates set for in the agreed upon scheduling order.

Sincerely,

/s/ Jason A. Nagi

Jason A. Nagi

Enc.

¹ My request sought “additional time to file a response to the complaint.”